

AMENDED IN SENATE MARCH 31, 2004

SENATE BILL

No. 1535

Introduced by Senator Karnette

February 19, 2004

An act to add Section 66025.2 to the Education Code, relating to public postsecondary education, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1535, as amended, Karnette. Public postsecondary education: student fee policies.

Existing law establishes the segments of public postsecondary education in this state. These segments include the California State University, which is administered by the Trustees of the California State University, and the University of California, which is administered by the Regents of the University of California.

This bill would provide that, beginning in the ~~2005-06~~ 2004-05 academic year, the trustees, if they elect to increase undergraduate mandatory systemwide fees in the California State University system, may not increase those fees by a percentage exceeding that by which per capita income, as defined, in California grew during the most recent fiscal year during which complete data is available. The bill would authorize the trustees, upon a finding of unique fiscal circumstances, to increase undergraduate mandatory systemwide fees by an amount not to exceed 10% of the level of those fees at the time the finding is made.

The bill would authorize the trustees, beginning in the 2004-05 academic year, to increase mandatory systemwide fees for graduate students by whatever percentage is deemed appropriate by the trustees, until graduate fees are 50% higher than undergraduate fees, after which

the bill would authorize graduate fees to be increased at a rate no higher than the rate of increase for undergraduate fees.

The bill would request the regents to adopt undergraduate and graduate fee policies for the University of California that are identical to the provisions that this bill would require of the California State University.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 66025.2 is added to the Education Code,
2 to read:

3 66025.2. (a) (1) Beginning in the ~~2005-06~~ 2004-05
4 academic year, if the Trustees of the California State University
5 elect to increase undergraduate student fees, the percentage by
6 which those fees are increased shall not exceed the percentage by
7 which per-capita income grew in the State of California during the
8 most recent fiscal year for which complete data is available.

9 (2) For purposes of this section, per-capita income growth rates
10 shall be *provided by the Department of Finance. The Department*
11 *of Finance may utilize statistical smoothing techniques to ensure*
12 *gradual, moderate changes to fees*, based on data compiled by the
13 United States Department of Commerce.

14 (b) Notwithstanding subdivision (a), if the trustees determine
15 that unique fiscal circumstances require that undergraduate fees be
16 increased by an amount that exceeds the percentage by which
17 per-capita income grew ~~in the State of California during the most~~
18 ~~recent fiscal year for which complete data is available~~, *as*
19 *determined by the Department of Finance*, the trustees may
20 increase undergraduate fees by an amount not to exceed 10 percent
21 of what those fees are at the time that the trustees make a
22 determination regarding the existence of unique fiscal
23 circumstances.

24 (c) Any determination regarding the existence of unique fiscal
25 circumstances, as described in subdivision (b), shall be made by
26 the trustees in a public meeting.

1 (d) (1) Beginning in the 2004–05 academic year, the trustees
2 may increase fees for graduate students by whatever percentage
3 the trustees deem appropriate, until graduate student fees are 50
4 percent higher than undergraduate student fees.

5 (2) Once the trustees have increased graduate student fees to
6 the level where they are 50 percent higher than undergraduate
7 student fees, the trustees shall increase graduate student fees at the
8 same rate which they increase undergraduate student fees.

9 (e) Beginning in the ~~2005–06~~ 2004–05 academic year, the
10 Legislature requests that the Regents of the University of
11 California adopt undergraduate and graduate fee policies identical
12 to those detailed in this section for the California State University.

13 SEC. 2. This act is an urgency statute necessary for the
14 immediate preservation of the public peace, health, or safety
15 within the meaning of Article IV of the Constitution and shall go
16 into immediate effect. The facts constituting the necessity are:

17 In order to implement the provisions of this act before the
18 commencement of the 2004–05 academic year, it is necessary that
19 this act take effect immediately.

